

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82678 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- PAUTHU District- Aurangabad

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KARI KUMAR Son of LATE BIRENDRA YADAV @ LATE
CHANDRASHEKHAR YADAV R/O VILLAGE- BHATARI, P.S- PAUTHU,
DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 16-12-2024 1. Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Pauthu Police Station Case No. 99 of 2024,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2018.

3. As per the FIR, the police got secret information
that co-accused Sushil Kumar has kept illicit liquor in his
cowshed and he is selling the same. On such information, police
party proceeded towards the place of occurrence and upon
seeing the police party, one person started fleeing away but was
arrested and he disclosed his name as Sushil Kumar. Police
recovered 30 liters of illicit liquor from the cowshed of Sushil
Kumar. The arrested accused person, Sushil Kumar, disclosed
the name of the petitioner that he used to supply liquor to him.

4. Learned Counsel for the petitioner submits that the
petitioner is having no criminal antecedent and he has falsely



been implicated in this case on the basis of disclosure of his name by Sushil Kumar who was arrested along with illicit liquor. The liquor was recovered from the premises of co-accused Sushil Kumar and not from the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and the illicit liquor has been recovered from the cowshed of Sushil Kumar, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Aurangabad, in connection with Pauthu Police Station Case No. 99 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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